

Minutes
Public Safety Personnel Retirement System
Clifton Police Department – Local Board
September 12, 2018
2:00 p.m.

Members Present:

Luis M. Montoya, Chairman
Esperanza Castaneda, Secretary
Shari Aguilar, Member
Joseph Cota, Member
Delfina Pilgrim, Member

Also present was Heather M. Ruder, Town Manager and Police Chief Omar Negrete.

Call to Order: The meeting was called to order by Chairman Montoya.

Approval of the June 26, 2017 meeting minutes: Member Aguilar expressed her misunderstanding on the date of hire for new employees hired after July 1, 2017 as presented in the minutes. Secretary Castaneda explained that further discussion relating to date of hire for new employees will be clarified and discussed later in this agenda.

Motion to accept the minutes as presented was made by Espie Castaneda, second to the motion was made by Delfina Pilgrim. Voting in favor of the motion were Board Members Aguilar, Pilgrim and Castaneda. Excusing themselves from the motion were Montoya and Cota who were not familiar with the events of the last meeting. Motion carried.

Board Members were also provided with information on the Duties of the Local Board. Questions regarding these duties prompted questions related to Powers and Responsibilities. Board Chairman Montoya requested that the Town Manager obtain information from the Town Attorney to help clarify some of these duties, particularly the provision to appoint medical boards and the evaluation of a members' eligibility for an accidental disability pension.

Appoint new board members to replace Jamie Clark, Police Officer Representative and Felix Callicotte, Chairman: Mayor Montoya explained that he had assumed the duties of the Chair due to the passing of Mayor Felix Callicotte. He also explained the additional vacancy occurred due to Officer Clark's employment termination.

Police Chief Negrete explained that Officer Cota has been appointed to represent the officers since he is the only qualifying officer at this time.

Oath of Office – New Appointees-Luis Montoya, Chairman & Joseph Cota, Police Officer Representative: The oath of office was administered by the board secretary/notary public.

Recommendation to ratify the date of hire for employees who are eligible to participate in the Public Safety Personnel Retirement System: Board Members discussed the recent changes to the PSPRS System which added the Tier 3 Plan Provisions affecting new officers on or after July 1, 2017. The new Tier 3 Plan allows qualifying employees 90 days to review and consider the plan options offered under this Tier. Plan choice is an irrevocable career choice.

The issue of uncertainty as to the date of hire resulted when the town hires a non-certified employee to attend the police academy. The definition of an eligible employee who qualifies to participate in PSPRS is as follows: ¹“Employee must be hired into a full-time (regularly works an average of 40 hours per week), regularly assigned hazardous duty position and be an AZPOST Certified Officer, or Firefighter.”

The original discussion regarding determining the hire date back in June 2017 by the Local Board was to establish the hire date on the first day of employment, not realizing that the 90-day waiting period would begin at that time even though the employee was classified as a cadet and could essentially begin contributions into the PSPRS System. Information from the PSPRS stated that the Local Board should determine the hire date. The understanding by the Board at the time was that a cadet was NOT certified therefore NOT eligible to participate in the PSPRS System until the individual became certified. The understanding of the participation date into the PSPRS was confused with the hire date of the employee.

In order to correct and clarify the hire date for employees who are not yet certified police officers it was recommended to revisit the issue.

Motion by Board Member Delfina Pilgrim to consider the hire date for a police officer for the purpose of eligibility to participate in the Public Safety Personnel System as the date they become certified peace officers. Second to the motion was made by Board Member Shari Aguilar. Motion carried.

Discussion and/or action to accept hire dates of Calvin Forgach and Brayton Harsh current certified police officers the Clifton Police Department: Chief Omar Negrete provided the dates of official Peace Officer Certification as October 20, 2017 for Calvin Forgach and May 3, 2018 for Brayton Harsh. Additionally, the Chief reported that there are no pre-existing conditions or that there are no employment accommodations required for each of these officers.

Motion to accept the hire dates of Calvin Forgach and Brayton Harsh as presented was made by Board Member Delfina Pilgrim. Second to the motion was made by Board Member Shari Aguilar.

Motion carried.

¹ Public Safety Personnel Retirement; New Member Enrollments; Step 1: Determining Membership Eligibility

Adjournment: Motion to adjourn was made by Chairman Montoya at approximately 3:02 p.m.